

FILED

APR 30 2025

CLERK U.S. BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA
BY: *[Signature]*
Deputy Clerk

1 Howard Smith
2 28822 Via De Luna
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10 UNITED STATES BANKRUPTCY COURT
11 CENTRAL DISTRICT OF CALIFORNIA
12 SANTA ANA DIVISION

13 In re.
14 Kristina Smith
15 Debtor
16
17 Case No. 8:24-bk-12527-TA
18 Chapter 7
19

20 DECLARATION OF CREDITOR
21 SMITH CONTESTING
22 OBJECTION TO CLAIM BY JEFF
23 GOMEZ
24 Date: 5/13/2025
25 Time: 11AM
Ctrm: 5B

26 I, Howard Smith declare under penalty of perjury that the following is true and correct to
27 the best of my knowledge. I am a creditor in the Bankruptcy case of Kristina Smith, who is my
daughter.

28 I oppose Mr. Gomez's objection to my claims (#5) filed in my daughter Kristina Smith's
bankruptcy case. I am not surprised to read Mr. Gomez's false accusations and lies. My
daughter Kristina exposed Mr. Gomez last year when he attempted to commit bankruptcy fraud
and he quickly dismissed his own case. Mr. Gomez has vowed to destroy her and I am aware of
and heard Mr. Gomez say that he is pursuing bankruptcy filings against for the outcome of her
taking her own life. Mr. Gomez abused my daughter the entire marriage and continues to do so.
Mr. Gomez has been found to have no credibility in the family law court and he was sued by the
FTC for scheming millions from people FTC also acknowledged his repeated deception which
was published in the Receiver's Report.

29 I am also aware that last year he was found to have filed his bankruptcy case not in
30 good faith.
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1 The loans are real and Mr. Gomez is very aware they exist and are real. When my
2 daughter Kristina fled her home with the children on August 23rd, 2016 for protection after Mr.
3 Gomez physically assaulted her again as he had been abusing her for over 12 years and when
4 she finally got out she did not have access to the marital assets and money and required help
5 from her family in order to obtain legal counsel. Not only did Kristina need help with her legal
6 bills, but in 2017 she also had to pay for a 730 evaluator, she had to pay for a forensic
7 accountant as well as living expenses for her and the children. My daughter, Kerry Kavanaugh,
8 and I also helped cover costs for the children's private school, storage unit and utilities which
9 are not even including in the claims. Solely the two loans.

10 We entered into an agreement Memorial weekend of 2017 and promissory notes were
11 drafted and signed. Mr. Gomez was contacting her family members and friends and
12 threatening them if they helped her. Mr. Gomez contacted my son-in-law Scott, my daughter
13 Kerry Kavanaugh's husband and left him a voicemail a couple weeks prior to us entering into
14 loan agreements and Gomez said that he knew they were helping her pay for the legal bills and
15 made statements, including that my daughter was cheating on him. He would stop at nothing to
16 make sure that she has no any access to money.

17 I borrowed over \$500,000 from Kerry and Scott Kavanaugh. That was an amount that
18 Kristina's attorney at the time said this case would probably need. I entered into the loan with
19 Kristina who agreed to pay back loan once properties were sold and borrowed against her
20 interest in all of the properties. I requested no interest. I made direct payments also and have
21 many of those receipts from American Express for proof.

22 Unfortunately, it ended up being not enough money and I believe her legal bill has
23 toppled over the \$900,000 mark. Mr. Gomez filed so many frivolous legal actions that the
24 request of labeling him a vexatious litigant is sought. I had to have another loan with Kristina
25 for \$198,000 in 2020 to cover more of her legal bills and expenses. She again borrowed
26 against her interest in her properties.

27 If I had more money to loan her, I would. Again, I have spent more money than the two
28 loans that have been claimed to help Kristina with legal bills and living expenses for her and
29 the girls. I am still covering many of Mr. Gomez 's financial obligations. Mr. Gomez was and
continues not paying all the support court orders and other court orders for financial support so
we all stepped in to help out when Mr. Gomez was failing his family.

 Kristina has provided me several messages from Mr. Gomez that were sent through an
application they are court ordered to use called Our Family Wizard which demonstrates that
Mr. Gomez knows that they were loans. He even accuses my daughter of elder abuse for
borrowing money from me and not paying me back. He said he was going to report her. He
also says that Kathy Court, the residence where Kristina lives with the girls, needs to be sold to
pay me back the \$500,000 loan. Mr. Gomez has recognized the loans and at my
granddaughters recital in 2018, Mr. Gomez grabbed me and said I was never getting my

1 money back. When my daughter alerted the Court Mr Gomez went to the venue and told them
2 to delete the security tapes which depicted the violence.

3 My wife, Barbara, was the keeper of all our documents and files. When my wife passed
4 away in 2021 ironically on this day, April 28th, we were not able to locate the paperwork from
5 the first loan which was entered into Memorial Day 2017. We had to replicate it as I was
signing my house over to the Kavanaughs and needed the document.

6 The two loans are valid and real, and my daughter has vowed to pay them back. She
7 insists on it and I think that's admirable.

8 I declare under penalty of perjury on this day, April 28, 2025 in Laguna California.



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10 Howard Smith
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4/28/25

Message Report

Generated: 10/08/2024 at 07:12 AM by Kristina Smith

Number of messages: 1

Timezone: America/Los_Angeles

Parents: Kristina Smith, Jeff Adams

Child(ren): Finley Adams, Tatum Adams, Tatum Adams

Third Party: Howard Smith

OurFamilyWizard
ourfamilywizard.com
info@ourfamilywizard.com
(866) 755-9991

Message 1 of 1

Sent: 06/02/2023 at 10:57 AM

From: Jeff Adams

To: Kristina Smith (*First Viewed: 06/02/2023 at 11:03 AM*)

Subject: Re: Payment

We will sell Kathy Ct. You owe your elderly Father \$500k and that's "elder abuse" which will be brought to the courts attention.

You're also "renting" my house out without my consent. Down payment is now traced. So are the other properties I did a -1031 exchange to acquire.

Message Report

Generated: 01/29/2025 at 07:07 AM by Kristina Smith

Number of messages: 1

Timezone: America/Los_Angeles

Parents: Kristina Smith, Jeff Adams

Child(ren): Finley Adams, Tatum Adams, Tatum Adams

Third Party: Howard Smith

OurFamilyWizard
ourfamilywizard.com
info@ourfamilywizard.com
(866) 755-9991

Message 1 of 1

Sent: 09/30/2022 at 03:21 PM
From: Jeff Adams
To: Kristina Smith (*First Viewed: 09/30/2022 at 03:29 PM*)
Subject: Re: Union Bank

I know your attorneys have you believing that it is all community property but that is clearly not the case. We have a valid prenuptial agreement as well as 1031 exchanges that were done proving my separate property as well as a cash flow analysis from the sale of 213 40th St. that will show where the purchase of other properties came from that will be verified by a forensic accountant that has already looked at everything.

You've already spent close to a million dollars just on custody. Borrowing \$500k from your elderly father who has cancer. Depriving him of the retirement he deserves.

So if you want to keep fighting and spend another million dollars. That is on you. Win or lose at the end there will be nothing left for our family.

Attachment 1

I, Kristina Smith declare under penalty of perjury that the following is true and correct to the best of my ability and would testify the same.

I support creditors Kerry Kavanaugh and Howard Smith's opposition to Mr. Gomez's objection to their claims.

I entered into three loans with family members in order to pay my legal fees in my dissolution case as well as living expenses for me and my children. Mr. Gomez, my ex-husband whom I have been in a contentious 8+ year dissolution proceedings with would not let me have access to our marital assets and money leaving me and the children financially insecure. Receiving those loans from Kerry Kavanaugh, my sister and Howard Smith, my father was not imperative to the survival and care of me and the children.

The litigation in our dissolution case involved years and years of physical, emotional and financial abuse at the hands of Mr. Gomez and with the skill of my lawyer who has many years of experience litigating against narcissistic sociopaths was able to provide the court proof which found Mr. Gomez to be a perpetrator of domestic violence and pursuant to family code 3044 put protection in place for me and the children and forced Mr. Gomez through court orders to get mental help, anger, management, and substance abuse help. Unfortunately, Mr. Gomez is still struggling with all issues and there has been no change.

Mr. Gomez is still abusing me and has violated handover fist the financial support orders.

We entered into loan agreements on Memorial Day of 2017. One with my father and the other with my sister, Kerry Kavanaugh.

My sister had given me cash to pay the retainer for Lisa Hughes and part of my payment to Saul Gelbart. It equates to \$33,000. It did not stop there. My sister has been paying for things for the children, including their tuition, which Mr. Gomez was ordered to pay. She provided me with a car when Mr. Gomez repossessed my car and replaced it with vehicle that was unsafe and ended up breaking down. She even helped me pay for my bankruptcy filing. She has not asked for any of that money back and loans were not made for all of the thousands and thousands of dollars she has helped me with since.

My father Howard Smith and I entered into an agreement loan on Memorial Day as well in 2017. The initial loan was for \$500,000 which I was told was what I would need secured for this high conflict case as well as paying for 730 evaluation, forensic accounting and other related costs. My dad would pay these fees directly by credit card. It's my understanding that he has all of those records. I had a secure another loan with my father in 2020 as the \$500,000 was not enough. My father has continued helping me and the girls paying for court ordered financial support that Mr. Gomez has failed to pay. My father also paid for the girls tuition, the storage unit, extra curricular, medical and many other expenses that were court ordered for Mr. Gomez to pay and he refused.

(3)

Mr. Gomez is using this court to attempt to continue his abuse against me. Last year, I reported him for fraud in his bankruptcy chapter 13 case . The day that he read my report, he slashed my tire and requested to dismiss his case.

Mr. Gomez is a violent and disturbed man who will stop at nothing to hurt me. He is now using this court in his efforts to destroy me.

I have a pending domestic violence hearing to obtain protection from him for myself, the children and my dad, Howard Smith,.

Mr. Gomez has made several postings online on Justanswer.com about my bankruptcy case and how he intends to proceed against me. He even uses my name and my date of birth and lies and accusations about me on that public site which is criminal. Mr. Gomez also states on that site that he cannot trace all of the properties and it would take years to prove ownership . All of the properties were purchased after we were married. He posted a play by play of how he was going to pursue actions against me. It's all public and I made copies of all postings that is also being used in my domestic violence case.

Mr. Gomez was openly talking about how he was going to pursue actions in the bankruptcy court against me and the outcome he hopes for is that I kill myself. He stated I can "blow my brains out." This was said in front of the children and it was recorded and admissible in the DV case. There are also recordings on how he was going to have me :kicked out of the f-ing house" and that I'm f-ing broke.

Mr. Gomez has repeatedly acknowledged the loans.

I have provided the documentation to my father from messages from messages from Gomez through our court ordered our family wizard application proving that Mr. Gomez acknowledges the loan of \$500,000 to my father and my sister is providing you the audio recording of a voicemail message Gomez left to my brother-in-law, Scott Kavanaugh saying that he's aware that my sister is bankrolling a big portion of my divorce and attempts to destroy their marriage with lies about my sister.

I would not be in bankruptcy if Mr. Gomez was following the court orders and paying his court ordered financial responsibilities.

I would not be in bankruptcy if Mr. Gomez didn't secretly cancel my health insurance when he found out that I was very ill another court order violation.

I would not be in bankruptcy if Mr. Gomez wasn't so vexatious in the dissolution case and postponing financial resolution by refusing moving forward with a financial hearing date over eight years later since we separated and I filed for divorce.

In April 2021 my mother passed away. She held the copies of the loans. When my father was signing over his house to my sister it was my understanding that they needed some of the

paperwork. The original paperwork was not found, and the loans were replicated. The loans are very much valid and real and Mr. Gomez knows that.

I want to pay all my debts and try to start my life over with my children. Mr. Gomez wants to make sure that I can't have that. By the sale of the community properties my interest can pay off everything I owe, and I will be able to start working on being whole again.

I support Howard Smith and Kerry Kavanaugh contesting Mr. Gomez ejection to the claims.

4/28/25



Kristina Smith